

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN**

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Investigation on the Commission's Own Motion  
Regarding Advanced Renewable Tariff Development

Docket No. 05-EI-148

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**REQUEST TO INTERVENE OF THE CITIZENS UTILITY BOARD OF WISCONSIN,  
CLEAN WISCONSIN, AND RENEW WISCONSIN AND NOTICE OF APPEARANCE**

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Pursuant to Wis. Stat. § 227.44(2m) and Wis. Admin. Code § PSC 2.21, the Citizens Utility Board of Wisconsin ("CUB"), Clean Wisconsin, and RENEW Wisconsin ("RENEW") (collectively "Joint Public Intervenors" or "JPI") hereby file their requests to intervene as parties in the above-captioned matter. JPI's attorneys also file a Notice of Appearance.

**I. STATEMENT OF INTEREST IN THE PROCEEDING.**

**A. CUB.**

CUB has more than 9,000 members, primarily citizens of Wisconsin. CUB was originally created by the Wisconsin legislature under Chapter 72, Laws of 1979, to advocate on behalf of residential and other customers on utility issues. CUB subsequently reorganized and is currently a nonstock, nonprofit corporation organized and existing under Wis. Stat. ch. 181. CUB's purpose as stated in its bylaws is to:

1) provide public interest legal services to ensure effective and democratic representation of residential, farm and small business utility customers before regulatory agencies and the courts; 2) advocate for reliable, affordable, and sound utility service; 3) educate consumers on utility service through the preparation, compilation, analysis, and dissemination of information and resource materials relating to utility regulation and public energy and telecommunications policy, and generally engage in and support public education regarding utility regulation and public energy and telecommunications policy.

CUB Bylaws, Article III. CUB intends that its advocacy benefit not just its own members but all residential ratepayers of the state.

CUB's members include numerous residential utility customers of Wisconsin's investor owned utilities that will be affected by decisions made in Docket No. 05-EI-148. Specifically, this docket will examine whether and how to expand the availability and use of advanced renewable tariffs (ARTs) in Wisconsin, and to promote greater uniformity in the ARTs offered by Wisconsin electric utilities. Therefore, this docket may result in decisions that affect utility rates. Because CUB's substantial interests will be affected by any Commission action in this docket, CUB requests that it be admitted as a party to this proceeding pursuant to Wis. Admin. Code § PSC 2.21(1). Alternatively, CUB should be granted full party status because its participation in the proceeding will promote the proper disposition of the issues to be determined and will not impede the timely completion of the docket. Wis. Admin. Code § PSC 2.21(2).

**B. Clean Wisconsin.**

Clean Wisconsin is a nonprofit organization that protects Wisconsin's clean water and air and advocates for clean energy by being an effective voice in the state legislature and by holding elected officials and corporations accountable. Founded in 1970 as Wisconsin's Environmental Decade, Clean Wisconsin exposes polluters, makes sure existing environmental laws are enforced, and educates citizens and businesses. On behalf of its 10,000 members and its coalition partners, Clean Wisconsin protects the special places that make Wisconsin a wonderful place to live, work and play. Thousands of Clean Wisconsin's members purchase electricity from Wisconsin's investor owned utilities.

Clean Wisconsin has a substantial interest in the proceeding because one of its goals is to promote renewable energy throughout the state. Because Clean Wisconsin's substantial interests will be affected by any Commission action in this docket, Clean Wisconsin requests that it be admitted as a party to this proceeding pursuant to Wis. Admin. Code § PSC 2.21(1).

Alternatively, Clean Wisconsin should be granted full party status because its participation in the proceeding will promote the proper disposition of the issues to be determined and will not impede the timely completion of the docket. Wis. Admin. Code § PSC 2.21(2).

**C. RENEW.**

RENEW is a 501(c)(3) organization, headquartered in Madison, that promotes policies to increase the use of locally and regionally available renewable energy resources to meet the state's power needs. RENEW has 350 business and individual members, almost all of them in Wisconsin. As an advocate for renewable energy development since its inception in 1991, RENEW has been a full party intervenor in numerous Public Service Commission proceedings.

RENEW has a substantial interest in the proceeding because one of the organization's primary goals is the development of ARTs in Wisconsin. Expanding the availability of ARTs and promoting uniformity among the Wisconsin electric utilities will likely accelerate the deployment of small-scale renewable energy systems. Because RENEW's substantial interests will be affected by any Commission action in this docket, RENEW requests that it be admitted as a party to this proceeding pursuant to Wis. Admin. Code § PSC 2.21(1). Alternatively, RENEW should be granted full party status because its participation in the proceeding will promote the proper disposition of the issues to be determined and will not impede the timely completion of the docket. Wis. Admin. Code § PSC 2.21(2).

**II. NOTICE OF APPEARANCE.**

Cullen Weston Pines & Bach LLP hereby files its Notice of Appearance on behalf of JPI in the above-captioned proceeding. All further documents and correspondence should be served on:

Curt F. Pawlisch  
Kira E. Loehr

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JPI further request that all documents and correspondence also be served on:

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Listing Mr. Dums, Ms. Nekola, Mr. Schryver, and Mr. Vickerman on the service list would greatly assist JPI in monitoring the case and participating in any proceedings scheduled by the Commission.

### **III. CONCLUSION.**

For the aforementioned reasons, CUB, Clean Wisconsin, and RENEW respectfully request that the Commission grant their requests to intervene in the above-captioned proceeding.

Dated this 28<sup>th</sup> day of January, 2009.

Respectfully submitted,

CULLEN WESTON PINES & BACH LLP

*/s/ Kira E. Loehr*

By: \_\_\_\_\_

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Kira E. Loehr

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